

Board of Supervisors Meeting Minutes  
Monday, February 26, 2018, 6:30 P.M.

Attendees: Supervisors - Ricki Stumpo, Elaine DiMonte, Alice Balsama; Mark Knightly, Director, Public Works; Al Davis, Alternate Commissioner, Kennett Area Fire and Emergency Services Regional Commission ("EMS Commission")

Public in attendance: 5

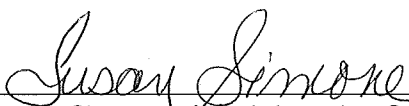
1. **Call to Order:** Stumpo called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.
2. **Sunshine Announcements:** On February 12<sup>th</sup> and February 21<sup>st</sup> Board met with 2 residents interested in the appointments to the Planning Commission. Board met with GKO Architects on February 23<sup>rd</sup> regarding status of the feasibility study.
3. **Announcements:** no general announcements.
4. **Public Comment Non-Agenda Items:** Terry Gumpfer received a response from the Zoning Official regarding leash requirements per the Township Code. Gumpfer raised a concern about a neighbor's dog that chased and came at him when the neighbor walked the dog off-leash. Gumpfer understands that the Code requires dogs be leashed and under control while on Township property, but he is concerned about allowing dogs off-leash in the right-of-way. Gumpfer indicated to the Board that under state law he has the right to kill the dog if it is not being controlled. Because Gumpfer has not been successful in speaking with the neighbor, he asked the Board to consider passing an ordinance requiring all dogs to be leashed so that he can use the ordinance to file a law suit in District Justice Court. Board directed that the Secretary ask the Planning Commission to consider such an ordinance given that it might be representative of a preventative measure in terms of health and safety.
5. **Work Session:** the February 20<sup>th</sup> work session was cancelled.
6. **Public Works Report:** Knightly reported that the Department is concentrating on pothole repair and tree trimming.
  - a. **Overlook Trail** - Board reviewed the trail easement agreement prepared and submitted by the Township Solicitor and reviewed and approved by the Overlook Circle Homeowners Association ("HOA"). **DISCUSSION:** Jordan Gushurst, a member of the Parks, Recreation and Trails Committee ("PRT"), indicated that he will be signing as president of the HOA. Matt Murphy, an adjacent landowner, attended to inquire as to the status of the installation of the bridge and brush and debris clean-up for trail installation work to date. Knightly responded that Public Works will clean-up/move the brush so that it is not a danger to Murphy's fence. Knightly indicated that the matter of the bridge should be tabled pending discussion with Tom Bierl and the PRT. **MOTION:** Stumpo moved, DiMonte seconded, to sign the Agreement for Trail Easement for "Overlook" as prepared by the Solicitor and to proceed with recording the document in the Office of the Chester County Recorder of Deeds; motion carried.
  - b. **Procurement Request** - Knightly reviewed the procurement pre-approval request dated February 26, 2018 prepared by the Treasurer. Anticipated amounts are CoStars pricing and the funding source is the Township Capital Reserve Account

included in the 2018 budget. DISCUSSION: John Hess asked if Route 52 was owned by the Township. Knightly responded that it is a state route as is 842 and 926. DiMonte inquired as to the frequency of use for the equipment. Knightly noted it would be used every other week if not every week. Currently, the Township borrows equipment from other Townships. Jordan Gushurst then noted that it would appear renting the equipment is not an option given that the usage indicates a true sense of value in ownership. MOTION: Stumpo moved, DiMonte seconded, to approve the purchase of a Bomag 100 SL-5 asphalt roller from Stephenson Equipment, Inc. for \$33,075.00; motion unanimously approved. MOTION: DiMonte moved, Balsama seconded, to approve the purchase of a Bomag BT65 jumping jack compactor from Knox Equipment Rentals Inc. for \$2,595.00; motion unanimously approved.

7. **Facilities:** DiMonte reported that the fourth checkpoint meeting was completed on February 23<sup>rd</sup> at which time the Board reviewed revised sketch iterations based on the previous checkpoint meeting. A public meeting will be scheduled in the spring.
8. **EMS Commission Report:** Davis reported on the meeting held February 13, 2018 and reviewed the February 13<sup>th</sup> minutes line-by-line. Copies of the minutes were submitted for the Township records. Davis reported that the EMS Commission did not meet in January or December and noted that a Financial Report for the period January 1, 2018 to February 13, 2018 is included in the February meeting minutes. DISCUSSION: DiMonte inquired as to the role of VFIS, the consulting company retained to evaluate the multi-municipal approach to emergency services. Balsama noted that the work of VFIS concluded when the municipalities accepted the model approach they submitted in November 2016. Jordan Gushurst commented that it would appear the EMS Commission provides fair funding for the local emergency service providers. Balsama expressed that funding is a significant cornerstone to the economics required today to staff the fire and ambulance organizations absent the availability of volunteers. She suggested that a central issue is accreditation for volunteers who are also able to respond to emergencies. Stumpo noted that Longwood Fire Company continually seeks volunteers by listing opportunities on signage and promotional material. The Board thanked Davis for his report.
9. **Planning Commission ("PC") Report/February 7, 2018 Meeting:** Board reviewed the report submitted by the PC. DiMonte noted the February 7<sup>th</sup> meeting included continued discussion regarding amending the Park Ordinance, specifically controlling a dog on a leash while in the Park. Gushurst noted that it is also important that owners control or restrain dogs when using the Township trails.
10. **New Business:**
  - a. **Resolution 2018-08 Establishing Public Participation for all Public Meetings:** DiMonte noted that this Resolution, which was tabled from the January meeting, has been reviewed by the Township Solicitor. Balsama reported that the Solicitor indicated two-party consent is not required during public meetings because there is no expectation of privacy in conversations. A provision has been added to the Resolution for the Chairman to announce that members of the audience may be recording. MOTION: DiMonte moved, Balsama seconded, to enact Resolution 2018-08 establishing public participation policy for all Pocopson Township public meetings; motion carried.
  - b. **Resolution 2018-10 Appointment of David Ziegler to Zoning Hearing Board:** Balsama reviewed the Resolution as written. MOTION: Balsama moved, Stumpo seconded, to enact Resolution 2018-10 appointing David Ziegler as Alternate Member of the Zoning Hearing Board; motion carried.
  - c. **Resolution 2018-11 Appointment of Paul Cardell to Planning Commission:** DiMonte reviewed the Resolution as written. MOTION: DiMonte moved, Balsama seconded,

- to approve enacting Resolution 2018-11 appointing Paul M. Cardell to the Planning Commission with a term to expire on December 31, 2020; motion carried.
- d. Resolution 2018-12 Appointment of John Hess to Planning Commission: DiMonte reviewed the Resolution as written. MOTION: DiMonte moved, Stumpo seconded, to enact Resolution 2018-12 appointing John Hess to the Planning Commission with a term to expire December 31, 2021; motion carried.
  - e. Resolution 2018-13 Municipal Assistance for FEMA Program: Stumpo reviewed the Resolution as written and submitted by the Treasurer. MOTION: Stumpo moved, Balsama seconded, to enact Resolution 2018-13 authorizing application to the PA Municipal Assistance Program; motion carried. DISCUSSION: Gushurst commented as to the likelihood that the Township will receive the financial assistance. Board indicated that it is very likely as the request is a local match toward reimbursement of up to 50% of the costs incurred to adopt the FEMA Ordinance during 2017.
  - f. Ducklings Request for Final Escrow Release: On January 24, 2018, Commonwealth Engineers submitted a request for a final release of escrow which was then forwarded to the Township Engineer for review. Stumpo noted that the Township is in receipt of a Review and Comment Letter dated 2/14/2018 for the third and final escrow release. MOTION: DiMonte moved, Balsama seconded, to release the Escrow Account Balance of \$42,978.39 as reviewed and recommended by the Township Engineer condition upon the Applicant satisfying any and all outstanding consultant fees as identified by the Township Treasurer; motion carried.
  - g. Township Newsletter: Stumpo reported that it has been quite some time since the Township published a newsletter. There are a number of topics for publication including updates to the Act 537 Plan. Act 537 update is a mandate for the Township to revise sewage connection maps to include the wastewater treatment plant for The Preserve. Reporting of On-lot sewage pumping is also a component. There are a number of public meetings that will be held on this topic. Publication timeline will be guided by communicating particulars for the feasibility study as well as reporting on the Brandywine Conservancy and Clean Stream Committee tree planting activity, EMS Commission activities, and fire and ambulance funding and volunteer opportunities. Public Works Department updates on summer paving projects will be included along with standard notices on household hazardous waste collection and committee updates. DiMonte noted that there will be an opt-in component to receive future issues and notices electronically. Balsama suggested that there may be a section for community feedback such as the request from a resident for the Board to consider the Township contracting for solid waste and recycling rather than the current individual mandate. The Board is interested in determining the level of interest township-wide juxtaposed with the administrative work required to implement it. There are homeowner associations currently contracting waste hauling services on behalf of their communities. The Board could consider formulating responses by directing residents to an on-line survey. DISCUSSION: John Hess indicated that a number of popular on-line surveys, while free, limit the number of responses to around 100.
11. Old Business: no old business submitted.
  12. Correspondence: Board signed a letter of appreciation and thanks for a donation to the Township.
  13. Treasurer's Warrants: Stumpo moved, Balsama seconded, to approve the Bill Payment Lists for January 30 - February 26, 2018 recommended for payment by the Treasurer; General Fund: 33 bills paid totaling \$24,212.09; 12 debit card charges totaling \$1,162.78; Highway Aid: 5 bills totaling \$15,334.13; Parks, Recreation and Trails: 2 bills totaling \$4,560.96; motion unanimously approved.
  14. Approval of Meeting Minutes: DiMonte moved, Stumpo seconded, to approve the Meeting Minutes dated January 29, 2018, as amended; motion carried.

15. Adjournment: At 7:22 p.m., Balsama moved, DiMonte seconded, to adjourn the meeting; motion carried.



Susan Simone, Administrative Secretary



Ricki Stumpo, Chairman